

02-13-04

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/728,405
	Filing Date	December 5, 2003
	First Named Inventor	Nathaniel S. Fox
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	04017.00066

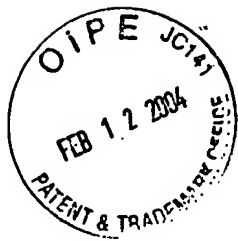
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment Before Action  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) - Nine (9) Sheets Formal Figures 1-26  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Return Receipt Postcard; Certificate of Mailing by Express Mail</b>
Remarks		The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed.
Express Mail No. 306401875 US		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jon O. Nelson Banner & Witcoff, Ltd.
Signature	
Date	February 12, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

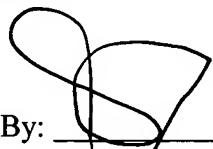


**CERTIFICATE OF MAILING BY EXPRESS MAIL  
(PATENT APPLICATION)**

Express Mail No. EV 306401875 US

Deposited: February 12, 2004

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop Non Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
(person *actually* depositing)

In the Application of: Nathaniel S. Fox

Serial No. 10/728,405

Title:           Apparatus and Method for Building Support Piers From One  
                    Or Successive Lifts Formed in a Soil Matrix

Attorney Docket No. 04017.00066

- ☒ Transmittal Form (1 page; in duplicate)
- ☒ Amendment Before Action
- ☒ Nine (9) Sheets of Formal Drawings (Figures 1-26)
- ☒ Return Receipt Postcard

Banner & Witcoff, Ltd.  
Ten South Wacker Drive  
Chicago, IL 60606  
312.463.5000

## PATENT

Appl: No. 10/728,405

Amendment Before Action dated February 13, 2004



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Attorney Docket No. 04017.00066**

~~In~~ the Application of:

## Nathaniel S. Fox

Serial No. 10/728,405

**Filed: December 5, 2003**

**For: Apparatus and Method for Building Support  
Piers From One or Successive Lifts Formed In  
a Soil Matrix**

Examiner:

Art Unit:

### **AMENDMENT BEFORE ACTION**

Mail Stop Non – Fee Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA, 22313-1450

Sir:

Please amend the above identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** begin at page 3 of this paper.

**Remarks** begin on page 11 of this paper.

**BANNER & WITCOFF, LTD.**  
Ten South Wacker Drive  
Chicago, Illinois 60606  
(312) 715-1000

Attorney 04017.00066